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REMARKS

This is a full and timely response to the outstanding Office action mailed April 7, 2005. Upon entry of the amendments in this response claims 1-23 are pending. More specifically, claims 1, 20, 21, and 22 are amended. These amendments are specifically described hereinafter. It is believed that the foregoing amendments add no new matter to the present application.

I. Present Status of Patent Application

Claims 1-3 and 7-23 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Hein-Magnussen *et al.* (US 2004/0132407 A1). Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hein-Magnussen *et al.* (US 2004,0132407 A1) in view of Chen *et al.* (US 2003/0054810 A1). Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over over Hein-Magnussen *et al.* (US 2004,0132407 A1) in view of Chen *et al.* (US 2003/0054810 A1) as applied to claim 4 above, and further in view of Mousseau *et al.* (US 5,559,800).

II. Rejections Under 35 U.S.C. §102(e)

A. Claims 1-3 and 7-19

The Office Action rejects claims 1-3 and 7-19 under 35 U.S.C. 102(e) as allegedly being anticipated by Hein-Magnussen *et al.* (U.S. 2004/0132407 A1). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 1 as amended recites:

1. A communication method, comprising:
receiving a request for a telecommunications service from a wireless client;
providing a local exchange point of presence to the wireless client in response to the request, the local exchange point of presence comprising a gateway selected based on the geographic location of the wireless client; and

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providing the telecommunications service to the wireless client with a local telephone number through the local exchange point of presence.

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 U.S.P.Q.2d 1129 (Fed. Cir. 1988).

Applicant respectfully submits that independent claim 1 as amended is allowable for at least the reason that *Hein-Magnussen* does not disclose, teach, or suggest at least **providing the telecommunications service to the wireless client with a local telephone number through the local exchange point of presence**. Therefore, *Hein-Magnussen* does not anticipate claim 1, and the rejection should be withdrawn.

Because independent claim 1 as amended is allowable over the cited art of record, dependent claims 2-3 and 7-19 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2-3 and 7-19 contain all the steps/features of independent claim 1. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002) *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, since dependent claims 2-3 and 7-19 are patentable over *Hein-Magnussen*, the rejection to claims 2-3 and 7-19 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 1, dependent claims 2-3 and 7-19 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 2-3 and 7-19 are allowable.

B. Claim 20

The Office Action rejects claim 20 under 35 U.S.C. 102(e) as allegedly being anticipated by *Hein-Magnussen et al.* (U.S. 2004/0132407 A1). For the reasons set forth below, Applicant respectfully traverses the rejection.

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Independent claim 20 as amended recites:

20. A communication apparatus comprising a gateway configured to:
receive a request for a telecommunications service from a wireless client;
provide a local exchange point of presence to the wireless client in response to the request, the local exchange point of presence based on the geographic location of the wireless client; and

provide the telecommunications service to the wireless client with a local telephone number through the local exchange point of presence.

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 20 as amended is allowable for at least the reason that *Hein-Magnussen* does not disclose, teach, or suggest at least **provide the telecommunications service to the wireless client with a local telephone number through the local exchange point of presence**. Therefore, *Hein-Magnussen* does not anticipate claim 20, and the rejection should be withdrawn.

C. Claim 21

The Office Action rejects claim 21 under 35 U.S.C. 102(e) as allegedly being anticipated by *Hein-Magnussen et al.* (U.S. 2004/0132407 A1). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 21 as amended recites:

21. A communications apparatus, comprising:
means for receiving a request for a telecommunications service from a wireless client;
means for providing a local exchange point of presence to the wireless client in response to the request, the local exchange point of presence comprising a gateway selected based on the geographic location of the wireless client; and

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means for providing the telecommunications service to the wireless client with a local telephone number through the local exchange point of presence.

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 21 as amended is allowable for at least the reason that *Hein-Magnussen* does not disclose, teach, or suggest at least ***means for providing the telecommunications service to the wireless client with a local telephone number through the local exchange point of presence.*** Therefore, *Hein-Magnussen* does not anticipate claim 21, and the rejection should be withdrawn.

D. Claims 22-23

The Office Action rejects claims 22-23 under 35 U.S.C. 102(e) as allegedly being anticipated by *Hein-Magnussen et al.* (U.S. 2004/0132407 A1). For the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 22 as amended recites:

22. A computer program stored on a computer-readable medium, the computer program comprising instructions to:

receive a request for a telecommunications service from a wireless client;
provide a local exchange point of presence to the wireless client in response to the request, the local exchange point of presence comprising a gateway selected based on the geographic location of the wireless client; and

provide the telecommunications service to the wireless client with a local telephone number through the local exchange point of presence.

For a proper rejection of a claim under 35 U.S.C. §102, the cited reference must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 22 as amended is allowable for at least the reason that *Hein-Magnussen*

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does not disclose, teach, or suggest at least **provide the telecommunications service to the wireless client with a local telephone number through the local exchange point of presence.** Therefore, *Hein-Magnussen* does not anticipate claim 22, and the rejection should be withdrawn.

Because independent claim 22 as amended is allowable over the cited art of record, dependent claim 23 (which depends from independent claim 22) is allowable as a matter of law for at least the reason that dependent claim 23 contains all the steps/features of independent claim 22. Therefore, since dependent claim 23 is patentable over *Hein-Magnussen*, the rejection to claim 23 should be withdrawn and the claim allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 22, dependent claim 23 recites further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claim 23 is allowable.

III. Rejections Under 35 U.S.C. §103(a)

A. Claims 4 and 6

The Office Action rejects claims 4 and 6 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hein-Magnussen*, in view of *Chen et al.* (US 2003/0054810 A1). For the reasons set forth below, Applicant respectfully traverses the rejection.

Because independent claim 1 is allowable over the cited art of record, dependent claims 4 and 6 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 4 and 6 contain all the steps/features of independent claim 1. Therefore, the rejection to claims 4 and 6 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 1, dependent claims 4 and 6 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claims 4 and 6 are allowable.

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B. Claim 5

The Office Action rejects claim 5 under 35 U.S.C. §103(a) as being unpatentable over *Hein-Magnussen*, in view of *Chen*, and further in view of *Mousseau* (US 5,559,800). For the reasons set forth below, Applicant respectfully traverses the rejection.

Because independent claim 1 is allowable over the cited art of record, dependent claim 5, (which depends from independent claim 1) is allowable as a matter of law for at least the reason that dependent claim 5 contains all the steps/features of independent claim 1. Therefore, the rejection to claim 5 should be withdrawn and the claim allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 1, dependent claim 5 recites further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited art of record. Hence there are other reasons why dependent claim 5 is allowable.

IV. Miscellaneous Issues

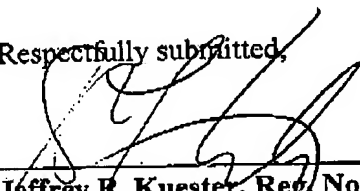
Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

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CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-23 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,


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